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## The Solicitors' Journal.

LONDON, OCTOBER 12, 1867.

THE METROPOLITAN AND PROVINCIAL LAW ASSOCIATION'S annual meeting was held at Manchester, on the 9th, under the presidency of Mr. H. S. Waabrough. Want of space obliges us to postpone our notice until another week. It is now ten years since the society has met in Manchester; upon the last occasion Mr. W. Strickland Cookson presided. In the evening the members were entertained by the Manchester Law Association at their annual dinner.

A QUESTION on the law of evidence arose during the recent hearing of the case against the Fenian prisoners at Manchester, which is worthy of notice. Mr. Cottingham, the counsel for some of the prisoners, proposed to prove an *alibi* in favour of one of them, by the evidence of the wife of another. Mr. Fowler expressed much doubt as to the competency of the witness, but with that indulgent spirit which has distinguished him throughout the inquiry, eventually permitted the witness to be called. We much doubt if Mr. Cottingham will be allowed so much latitude at the approaching trials. Indeed, if the prisoners are charged jointly we are sure that he will not. The point has already been expressly decided in more than one case. Thus in *Reg. v. Frederick and Tracy*, 2 Str. 1095, the prisoners were charged with a joint assault, and it was attempted to call the wife of one of the defendants as a witness on behalf of the other, but the court decided that her evidence was inadmissible. Again, in *Reg. v. Lecker and Others*, 5 Esp. 107, a similar attempt was made without success. There the charge was of conspiracy. The defendants appeared by separate attorneys, and severed in their defences. The wife of one of them was tendered as a witness on behalf of another. Lord Ellenborough, however, rejected her evidence. A joint crime, he said, was imputed, in which the husband of the proposed witness was implicated. He might, therefore, be benefited—or damaged, as the case might be—by her evidence, as well as the person on whose behalf alone she was ostensibly called. The ordinary rule of exclusion was, accordingly, in his opinion, to be acted upon. A similar decision was given in *Reg. v. Smith*, Mood. C. C. 289, by Mr. Justice Littledale. After the trial he had some doubts as to whether he was right, and submitted the case for the opinion of the judges, all but two of whom held that the evidence had been properly rejected. Mr. Justice Littledale himself appears to have changed his opinion between the trial and the consideration of the case by the judges, for his name is found with that of Baron Graham in the dissentient minority.

In criminal cases the law of exclusion to-day is the same as in the days of Lord Ellenborough. The 16 & 17 Vict. c. 83, though it makes husbands and wives competent to give evidence for or against each other in most civil proceedings, does not apply in criminal matters. On the policy of excluding such evidence opinions will differ. The tendency of modern legislation, however, has been towards the removal of all objections, of whatever kind, to witnesses on the ground of competency. But as the

law stands there cannot be much doubt on the point raised by Mr. Cottingham. Baron Martin, indeed, at the Wiltshire Spring Assizes, in 1864, disapproved of *Reg. v. Smith*, to which we have referred above, as far as calling the wife or husband for a prisoner jointly charged with the husband or wife was concerned. He thought the rule of exclusion applicable only to witnesses for the prosecution. It is difficult to see what valid ground can be assigned for the distinction taken by the learned judge. It may be improper to exclude husbands and wives at all; but to admit their evidence when it is likely to tell one way, and to reject it when it is likely to tell the other, seems to us to be unjustifiable.

A VERY CURIOUS ILLUSTRATION of what is commonly called the uncertainty of the law, but which frequently means the diversity of human opinion as to questions of fact, has been afforded by the results of the inquests arising out of the late collision in the Thames of the *Metis* and the *Wentworth*. There were three inquests; one at Plumstead, before one of the coroners for Middlesex; the second at Cubitt's-town, before one of the coroners for Surrey; and the third, which was held some days back, at Dagenham, before Mr. C. C. Lewis, the coroner for the Western Division of the county of Essex. At the Plumstead inquiry the *Metis* was held to blame; at the Cubitt's-town inquiry both the *Metis* and *Wentworth* were held to be at fault; and at the Dagenham inquiry the *Wentworth* was held to blame!

This may seem to afford an argument to those who are in the habit of inveighing against the jury system in general. But a little reflection on the nature of the question to be determined will show that a difference of opinion as to the culpable cause of the calamity was most natural and scarcely avoidable. Two steamboats came into collision under these circumstances:—The *Metis*, bound upwards with passengers from Gravesend, was running along the Kentish shore about 70 to 100 yards from the bank, when the *Wentworth* came in view going in the opposite direction. The two vessels were in the position described by nautical persons as "end on." According to article 13 of the Merchant Shipping Act, 1862, if two ships under steam are meeting end on or nearly end on, so that there is danger of collision, the helm of both should be put to port, so that each may pass on the port side of the other. On the other hand, article 19 says that, in obeying and construing the above rules, due regard must be had to all dangers of navigation, and due regard must be also had to any special circumstances which may exist in any particular case, rendering necessary a departure from the above rules. In accordance with the first of these articles, the captain of the *Wentworth* put his helm to port. The captain of the *Metis*, thinking that if, under the circumstances, he follows the same rule his vessel will be cut in two in deep water by the other, avails himself of the latitude reserved by article 19, and acts according to the best of his discretion by shutting off steam; but seeing at once that that course was likely to be most dangerous he pushes his vessel on to the shore, to make an unavoidable calamity as light as possible.

Of course, when the question which party was to blame comes to be investigated, there is the usual contradiction of testimony and conflict of opinion as to what was actually done, and as to what ought to have been done, which of course would be infinitely varied in each separate inquiry. Is it wonderful that, under such circumstances, a question involving such doubt and difficulty should have been differently settled by different tribunals? It was one of those questions to which the *quod Aemilius tot sententia* truism prominently applies. Indeed, if there was to be a fourth investigation it is not impossible that it would result in an opinion that neither party was to blame, and certainly we should think it would be endorsed by as large a section of the public as any of the former verdicts.

The rules for passing and overtaking vessels, espe-

cially in rivers and where either (or both) is a steamer are rather confused, from their having such a tendency to qualify each other; and the applications which have been given to them in the reported cases do not tend to simplify the matters. In very many cases of frequent occurrence the most skilful navigator who ever stepped a deck, even if he had all the rules and decisions at his finger's ends, could not pronounce on any particular course as the legal course to follow under the circumstances: and this *a fortiori* when prompt action is indispensable. Whether or no anything can be done to amend these matters is a hard topic to deal with. It is very hard, if not impossible, to deal by means of rules and regulations with emergencies such as collisions at sea, which may present any amount of difficulty, danger, and complication, and in which sudden and decisive action are necessary: but at any rate the present rules leave a very great amount of uncertainty in a very large number of contingencies.

WHY DO OUR CONTEMPORARIES—we believe without exception—persist in heading their reports of the proceedings at Manchester with the words, "*Examination of Fenian prisoners.*" We thought that prisoners were never examined in this country, but the daily newspapers of the last month will, to a historian of the future, be strong evidence to the contrary. "The case against the Fenians" would be an equally convenient and more accurate title.

LORD BROUGHAM has addressed the following letter to the editor of the *Globe*:—

"Lord Brougham has attained his 90th year, and is anxious about the course things are to take after him.

"His most important death-bed legacy is the repression of electoral corruption.

"There wants no new laws, but the vigorous improvement of the existing laws.

"The law is clear, that the ex-official power is sufficient to arm the Government with all proper authority.

"If the ex-official power is exercised against electoral abuses, no objection can be made; and that any well-deserved prosecutions should fail, would be a subject of real and sincere regret; but this is not likely when we consider the open manner in which bribery has been avowed in many boroughs.

"Let it always be kept in view, that the exposure of electoral corruption is necessary for restoring the character of Parliament; and it is evident that there can be no difficulty in proving what is universally stated."

WE ARE INFORMED that the judges selected to preside at the approaching trials of the Fenian prisoners at Manchester are Mr. Justice Blackburn and Mr. Justice Mellor. The commission will be opened on or about the 28th instant.

THE REVISING BARRISTERS have been about their tasks and for the most part the business has been transacted very quietly, and without much contention. At Warrington one of the election agents, in sending in an objection, did not sign his name at the foot of the notice in the usual way, but stamped the paper with a facsimile of his signature. It was objected that this did not amount to such a signature as the statute required, the revising barrister, however, allowed it to pass. It is said that this decision will be made the subject of an appeal. In more than one instance the overseers were reprehended for not attending personally with their lists.

MR. ANDREW T. SQUAREY (Duncans, Squarey, Blackmore, Pearson, & Hill) is, we understand, to succeed to the solicitorship of the Mersey Dock Board, vacant by the retirement of Mr. John North.

LORD CHIEF JUSTICE BOVILL has written a letter to the *Daily Telegraph*, explicitly and indignantly contra-

dicting a rumour to which certain of our contemporaries recently gave publicity, and on which the *Daily Telegraph* founded an article. The rumour in question referred to a supposed intention, on the part of his lordship, of appointing his son, a cavalry officer, to the vacant registrarship in the Middlesex Registry. Sir William Bovill writes to say that there is not and never has been "even a shadow of foundation" for such a statement. The *Daily Telegraph* welcomes this decided denial, and remarks that it "did not originate the charge, but merely commented upon a statement which had already appeared in print." It will, however, occur to most persons that it would have been well before making such "comments" to have made some little inquiry into the truth of the "statement" in question.

AT THE LIVERPOOL BOROUGH POLICE-COURT, a few days ago, a boarding-house keeper was summoned for acting as a passenger broker, without a license; Captain Bouchier, R.N., one of the Government emigration officers, appeared in support of the charge, and was proceeding to state the grounds upon which it was based, when the defendant's solicitor objected that Captain Bouchier, not being either counsel or attorney, was not entitled to be heard. After some discussion the magistrate (Mr. Mansfield) ruled in favour of the objection.

THE LONG VACATION ends on the 24th inst., at Common Law, and on the 28th at Chancery.

ON TUESDAY, Wednesday, and Thursday next, the office of the Accountant-General to the Court of Chancery will be opened for the payment of dividends, and the new practice, introduced by section 11 of the Court of Chancery Officers Act, 1867, of having the cheques countersigned by the Accountant-General's clerks, instead of by the registrars, will now come into play.

## JUDICIAL STATISTICS, 1866.

### PART I. (continued).

In 1866 the number of persons sent for trial was 18,849, a lower figure than that belonging to either of the four previous years. The variations in these numbers appear to be extremely arbitrary; in 1860 the number was smaller than in any of the twenty years preceding the present time, but in 1863 there was an addition of nearly 5,000, or more than 30 per cent., while since that year the numbers have been reduced by about 2,000. As compared, however, with the previous year, the numbers exhibit a decrease in each of the six classes under which the offences are distributed in the tables. Out of the 18,849 so committed 4,572 were acquitted and discharged, and 23 were detained as insane; 26 were sentenced to death, 13,915 were sentenced to penal servitude, or to various terms of imprisonment, or to be detained in reformatories, while 313 were subjected to whipping and other punishments. The proportion of those acquitted and discharged had been about 24 per cent. of the whole number committed for each of the last ten years. Of the 26 capital sentences only twelve were carried into effect; the sentences of 13 of the convicts was commuted to penal servitude for life, and of 1 to penal servitude for ten years.

During the year 1866 18 cases were submitted for the decision of the Court of Criminal Appeal, in 10 of which the judgment was affirmed, and in 6 reversed; in one of the other two cases it was decided that the Court had no jurisdiction, and in the remaining case no judgment was given.

The sums paid by the Treasury on account of criminal prosecutions at assizes and quarter sessions, and at the Central Criminal Court, and for proceedings under the Criminal Justice Act and the Juvenile Offenders' Act, are exhibited in a return for the year ending the 31st of December, 1865, being, as usual, a year in arrear of the other returns. By these returns it appears that

upon a total of 17,100 indictments the sum of £136,003 10s. 4d. was paid by the Treasury, being an average of £7 19s. 1d., for each case. The expense of the summary proceedings above-mentioned was £16,707 16s. 2d. upon 16,856 cases. All these figures show an increase upon those of the preceding year.

Prison returns extend to the 29th of September, 1866, and differ from those of previous years in that several prisons have been abolished under the Prisons Act, 1865. The total number committed during the year was 136,741, being a decrease of 680, as compared with that of 1865, and of 2,645 with that of 1864.

Out of the prisoners committed during the year 44,381 had been previously committed, and of these 3,759 had been previously convicted more than ten times. The ages of those committed are shown in a table which indicates that by far the largest number of criminals are between the ages of 20 and 30, and that a very large number are more than 60 years of age. About 35 per cent. of the prisoners committed could neither read nor write, and 61 per cent. could read and write imperfectly, while 1 per cent. had received what the return calls superior instruction. It is in these days of the extension of the franchise a remarkable fact that while 18 per cent. of those committed to prison are described as of no occupation, and about 40 per. cent. as labourers, more than 13 per cent. are classed as mechanics and skilled workers.

The degree of docility of prisoners is demonstrated by the fact that 60,044 punishments took place for offences committed in prison, being less by 623 than in 1865. There is a considerable increase in the average cost of each prisoner. In Alnwick County prison, with a daily average of one prisoner, the cost was £110 1s. 2d., and in Manchester City prison, with a daily average of 628 prisoners, the cost per head was £17 18s. 6d.

During the year ending the 31st of March, 1867, 9,817 convicts were undergoing sentence in convict prisons, of whom 2,989 were received during the year. Western Australia took 410, and none were sent to any other colony, but 1,793 were set at liberty on tickets of leave. In the previous year 2,253 convicts received tickets of leave. If criminals are let loose at this rate we shall soon have a floating average of at least 10,000 scattered about all over the country, whose influence will probably be exercised to corrupt many with whom they may come in contact. This will in a few years become a matter for serious consideration, and unless the number of convicts decreases, or some fresh outlet be found, a plan for their safe keeping must be devised, involving amongst other things the erection of new prisons. The influence of reformatories and industrial schools as preventives of crime appears to produce no tangible influence on criminal statistics. The total cost of convict prisons was £237,333 2s., and the average cost per convict £34 7s. 4d., being a slight increase in each item upon those of the previous year.

The number of offenders committed to reformatories during the year ending the 29th of September, 1866, was 1,287, being 102 more than in the preceding year; nearly 48 per cent. of these had been previously, more or less frequently, committed to prison, while about 52 per cent. were sent to reformatories upon their first conviction. Their state of instruction is shown to be lamentably deficient, the proportion of them who could read and write well being so small as to be almost inappreciable. The Treasury paid £51,734 toward the expense of reformatory schools in the year ending the 29th of September, 1866. Industrial schools contained at the commencement of that year 1,052 inmates, 508 were committed during the year, and 1,295 remained at the end of the year over which the returns extend.

The statistics of criminal lunatics show that 1,178 of this class of prisoners were under detention, of whom 423 were at Broadmoor, the Government asylum. It is a remarkable fact that out of this number under detention no fewer than 737 were convicts who became insane

after trial. Whether this is due to the dissipated life often led by criminals, or whether it is one of the results of confinement, may be a subject worthy of consideration by philanthropists; but whatever may be the cause it is a melancholy summing-up. Seven-tenths of the cost of criminal lunatics is defrayed out of the public revenue, and this expense, calculated at the rate of £38 4s. 7d. a-head, amounts to £45,037 12s. 0d. Taking these statistics as a whole, there appears to be a decided increase in the amount of crime, in the cost of the administration of justice and maintenance of the police, and in the cost of the detention of prisoners, but whether this increase is more than commensurate with the estimated addition to the population is not distinctly shown.

#### NOTES OF CHANCERY PRACTICE FOR THE PAST YEAR.

The current volume of the *Solicitors' Journal* is now fast approaching its completion, and on looking through the corresponding numbers of the *Weekly Reporter* we find several noteworthy decisions on points of chancery practice; our readers may perhaps be glad to have these decisions summarized, in time for the coming campaign. We propose therefore, in a couple of articles, to note shortly the principal decisions on points of chancery practice which have taken place during the past year.

*Costs of Petition by Tenant for Life for payment of dividends of Fund paid into Court under Trustee Relief Act.—Re Marner's Trusts*, V.C.K., 15 W. R. 99; 3 L. R. Eq. 432.

Some difficulty having arisen from the decision of Lord Cranworth in *Re Turnley's Trust*, 14 W. R. 322, being in conflict with the general current of decisions that these costs should be borne by the income (see *Morgan's Chancery Practice*, p. 62), a meeting of the judges was held, and the Lord Chancellor acceded to Vice-Chancellor Wood's view that a rule making such costs payable out of the *corpus* would be expensive and inconvenient, as necessitating the appearance of the parties entitled in remainder, and the old rule may therefore now be considered established, that such costs will be payable out of the income.

*Protection of Executors under Lord St. Leonards' Act.—Clegg v. Rowland*, V.C.M., 15 W. R. 251; 3 L. R. Eq. 368.

Executors having in this case issued the requisite advertisements under section 29 of the above Act, and distributed or appropriated their testator's estate, it was held that they could not be made sole defendants in a suit to charge that estate; and *quod* executors were not even necessary parties to such a suit, although, as to the moneys appropriated and held by them on trust, it might be necessary to have them before the Court in any future proceedings against the legatees and *cestui que trusts*.

*Disclaimer.—V.C.W.*, 15 W. R. 304; 3 L. R. Eq. 210.

By one of the rules laid down in *Ford v. Lord Chesterfield*, 16 Beav. 516, a person properly made a defendant to a suit, but disclaiming in such a manner as to show that he never claimed any interest in the subject-matter at or after the filing of the bill, and that, if applied to before the filing of the bill, he would have released any interest he might then have had, is entitled to his costs; but it seems that he must put in a proper disclaimer, and that a disclaimer by letter claiming costs, if the interrogatories served on him were not withdrawn, followed by an answer and disclaimer to the above effect, does not bring him within the rule, so that he will in such a case be dismissed without costs.

*Accountant General's Office.—Davenport v. Townsend*, 15 W. R. 378.

As both parties in this case seem to have thought that money could not be obtained out of court except on production of the original of the decree directing such payment



and an erroneous impression to that effect may more or less prevail, it may be well to mention that a report office copy of the decree will be quite sufficient for the purpose, but that the same copy must be produced on each occasion, and (see Daniel's Chancery Practice, p. 1631) if the Accountant-General has begun to act on the original or a registrar's office-copy, unless the loss of this is shown a report office-copy will not be sufficient.

*Sale in partition suit.*—*Richards v. Richards*, V.C.W., 15 W. R. 380.

The jurisdiction of the court to order a sale in a partition suit where infants are interested, may be doubted, but it has of late years been not unfrequently asserted, and seems a useful supplement to the process given by the Leases and Sales of Settled Estates Act. The form of order adopted (see *Hubbard v. Hubbard*, 2 H. & M. 38) contains a declaration that it will be for the infant's benefit that his costs should be raised by a sale of his share, together with the shares of the other parties interested, without a partition, but this looks very much like one of those ingenious fictions, not unknown in our law, by which the courts both of law and equity have at various times attempted to conceal an extension of their jurisdiction. The circumstances on which the Court really relies in making the order seem to be, extreme subdivision or complication of interests, the nature of the property, e.g., where consisting of mineral strata, an advantageous offer to purchase, and others of the same nature. No doubt the old case, in which a partition of a house was effected by building up a wall through the middle, and the well-known case in which all the chimneys, all the fire-places, the only stair-case in the house, and all the conveniences in the yard were allotted to the owner of one of the undivided moieties, would, if infants were interested, be instances for the applications of the above beneficial jurisdiction.

*Leave to enrol decree.*—*Chapman v. Brown*, LL.J., 15 W. R. 474.

In this case an order *nisi* had been obtained for enrolment of a decree made by the Lord Chancellor in May, 1863, and cause was shown against such order being made absolute, on the ground that some of the parties had, in the meantime, mortgaged their interests in the property, the subject of the suit, for considerable sums. Vice-Chancellor Malins thought this sufficient ground for refusing leave except on an undertaking that the mortgagees were to be protected, but the Lords Justices agreed that this dealing with the property, having taken place without any consent on the part of the applicant, was not enough to deprive her of her right, and that purchasers or mortgagees must be taken to know that there was a *prima facie* right of appeal to the House of Lords for a period of five years after the decree, unless in the exercise of its discretion the Court should refuse leave to enrol it. Whether this period might not be advantageously limited to two—or at most three—years, may, we think, be a question.

*Suits by official liquidators.*—*Turquand v. Kirby*, 15 W. R. 633; 4 L. R. Eq. 124.

This was a suit by the official liquidator of the Leeds Banking Company on behalf of himself and all the other creditors of a deceased contributory to administer his estate and recover an amount alleged to be due for calls. A preliminary objection was taken as to the form of the suit, and the Master of the Rolls decided that the power given to the official liquidator by section 95 of the Companies' Act, 1862, to do in his official name any act that may be necessary for obtaining payment of any moneys due from a contributory or his estate, and the declaration that such monies shall for that purpose be deemed to be due to the official liquidator himself, enable him to sue in his own name for the amount of contribution payable by a contributory, although for getting in the property of the company or defending suits the name of the company must be used. As to the necessity of the sanction

of the Court being obtained, his Lordship said that he did not require leave to be asked in every case, but gave a general authority to proceed against contributories whose balance orders had been made against them, and that he should allow proof of the institution of the suit being authorised by the Court to be given at the hearing, as being a matter which could not be contested, and was easily proved.

#### THE LEGISLATION OF THE YEAR.

30 & 31 VICTORIA, 1867.

Cap. XC.—*An Act to alter certain duties and to amend the laws relating to the Inland Revenue.*

The portion of this Act which will be of most interest to our readers is the 20th section, which provides that at a stamp duty of one penny shall be charged upon letters of allotment of shares, scrip certificates, and scrip. The signing of any of these documents unstamped renders the offender liable to a penalty of twenty pounds. The success which has hitherto attended the imposition of penny stamp duties warrants the belief that this duty will make a valuable addition to the Revenue.

Cap. CII.—*An Act further to amend the laws relating to the representation of the people in England and Wales.*

This Act stands first among the statutes of the session in political importance. It has already, however, been so fully discussed and considered, both in this journal and elsewhere, that a lengthened notice of it will be unnecessary. Considering its consequence, it is not a long Act. It is shorter by twenty-one sections than the Reform Bill of 1832 (2 Will. 4, c. 45) from which also, we may observe, it entirely differs in arrangement. The 2 Will. 4, c. 45, treats, first, of the distribution of seats, secondly, of the county franchise, and, thirdly, of the borough franchise. The new Act treats these three subjects in the reverse order.

The borough franchise is now mainly regulated by ss. 3 & 4 of the new statute, and s. 27 of the old, from which occupiers "of warehouses, counting-houses, shops, or other buildings," above £10 in value, and joint-occupiers of houses, warehouses, &c., above the same value, will still derive their right to vote. Section 3 of the present Act only applies to dwelling houses, and excludes joint occupiers from its operation. Section 4 establishes the "lodger" franchise. In order to be registered under this section the lodger (a) must have occupied for twelve months before the last day in July in any year, separately and as sole tenant, the same lodgings, such lodgings being, if let unfurnished, of a clear yearly value of ten pounds or upwards, (b) must have resided for twelve months in the same lodgings, and (c) must claim to be registered. Our readers will thus perceive that there are plenty of "safeguards" placed round the enfranchisement of the lodger. We much doubt if many electors will avail themselves of this section. Indeed it is questionable whether there are many who can avail themselves of it. There is an immense lodger class in great boroughs, but how many live for a year, not only in the same borough, but in the same lodgings? The question of "clear yearly value" will give some trouble to the revising barrister in the case of lodgings actually let furnished, and the value of which, if let unfurnished, is therefore speculative; but it is one of fact, on which, in each case as it comes before him, he will have to form the best judgment he can. The cases on the same words, in the 2 Will. 4, c. 45, s. 27, will not assist him, for the criterion of the value of a whole house, viz., the rent minus the parochial rates, will be not easily applicable.

The occupation franchise for county voters is regulated by section 6, which substitutes a £12 rateable value for the famous "Chandos" clause of the bill of 1832, which conferred votes on tenants of premises of the clear yearly value of £50 a year. Here, as in the boroughs, rating replaces rental as a test, and it should also be noticed the voter may occupy as "owner or tenant." Under the

Chandos clause, if he occupied as *owner* he was not qualified.

Three sections only (sections 7, 9, and 11) of the "franchise" portion of the Act call for further observation. Section 7 abolishes the practice of compounding entirely. Naturally the change has led to some little inconvenience, and from time to time we hear complaints from landlords and tenants who find it necessary to re-arrange their relations with each other on a fresh basis. But it does not appear likely that any serious effort will be made to re-establish the compounding system. Parliamentary opinion has undergone a strange change with regard to it. In 1850 Mr. Scrope protested against it almost alone. The Small Tenements Act was passed in spite of him, by overwhelming majorities. Last session, on the other hand, no one had a good word to say for the compounder. After vexing the spirits and irritating the tempers of statesmen for many dreary weeks, he was at last killed and buried amidst universal rejoicing.

Section 9 contains the most startling innovation in the whole Act. Looking at its history and origin it may be called the "philosophers'" section, and provides that in three member constituencies, so absurdly called "unicorns," no elector shall vote for more than two members. The number of boroughs and counties to which this regulation will apply is very limited, but although few in number, they are among the most important in the kingdom. If the result prove satisfactory we shall probably see a great increase in three member constituencies before many years are over.

The 11th section will disfranchise, amongst others, a good many members of the legal profession. It provides that no elector who has been employed for reward on a candidate's behalf within six months of an election shall be entitled to vote at such election. If he votes he will be guilty of a misdemeanour. An attorney, therefore, who accepts a retainer from a candidate will in future be disfranchised *quoad* his employer.

The Act, after doing justice on the guilty boroughs (Totnes, Lancaster, Reigate, and Great Yarmouth), proceeds to embody the re-distribution scheme in a few simple clauses. Then follow a number of supplemental provisions as to registration of voters, increase of polling places, &c. Under the head "miscellaneous" we find several sections which require a notice. The "corrupt" payment of rates, directly or indirectly, is to be punishable as bribery. No doubt this is a proper enactment, but it will be very difficult, we apprehend, to convict of the offence at which it is aimed. To prove that a person has paid another's rates will be easy enough, but to prove that he paid them "corruptly" to the satisfaction of a jury will, in the present unhealthy state of public opinion on bribery, be a hard task. The Lord Chancellor, during the progress of the bill through the Upper House, moved and obtained the omission of the word "corruptly;" it was however subsequently restored.

Section 51 renders the duration of parliament entirely independent of the demise of the Crown. In times previous to the revolution of 1688 the death of the reigning sovereign *ipso facto* dissolved the parliament of which, according to the old expression of our law, he was *caput, principium et finis*. But it was thought wise, in the reign of William III, (7 & 8 Will. 3, c. 15), the succession to the crown being then a very doubtful question, to enact that the parliament in being on the death of the reigning sovereign should continue for six months or until dissolved or prorogued by the successor. This statute was renewed in the reigns of Anne and George III, and thus the principle of the absolute dependence of the legislature on the Crown became obsolete. The section in the present Act seems a reasonable amendment of the law. A compulsory dissolution six months after the commencement of a new reign might very possibly prove equally inconvenient with a dissolution immediately on a sovereign's death. Section 52 provides that members holding the offices of profit from the Crown which are enumerated in sche-

dule (H) shall not be required to vacate their seats on acceptance of another office. This provision will render the re-arrangement of a ministry, after such a crisis as occurred, for example, in the spring of this year, an easier task than heretofore.

We must not omit to mention the general saving clause (s. 56) which enacts that the franchises conferred by the Act are in addition to and not in substitution of existing franchises. The machinery of registration which at present exists, is to apply as nearly as may be to the new electors as well as to the old. We may hope therefore that, taking the present registration Acts with the clauses as to registration in the new Act (ss. 30, 31, 32), revising barristers, overseers, and clerks of the peace may be able to perform their duties without much difficulty.

Cap. CIII.—An Act for the extension of the Factory Act.

Cap. CXLVI.—An Act for regulating the hours of labour for children, young persons, and women employed in workshops, and for other purposes relating thereto.

The former of these Acts, intitled the "Factory Act Extension Act, 1867," applies to establishments where fifty or more persons are employed, the latter, entitled "The Workshop Regulation Act, 1867," applies to smaller establishments. Both Acts are applicable to the whole of the United Kingdom, but the latter of the two does not come into operation until the 1st of January, 1868.

A very large class of manufactories not hitherto under the operation of the Factory Act is by these Acts made subject to rules and regulations which chiefly relate to the employment of women and children and the protection of those engaged in unhealthy occupations.

Children employed in workshops are required to attend school at least ten hours a week, to be calculated in such a manner as not to include more than three hours at a time nor than five hours a day, and penalties for non-compliance with this rule are imposed both on parents and employers. Upon the application of the teacher the employer may pay the schooling and deduct the amount from the child's wages. The provisions of the former Act are to be carried out by the Inspectors of Factories, and those of the latter by the local authorities as well.

A schedule to each Act contains modifications of regulations of the Factory Act as applied to these Acts, and comprises rules for the employment of children in several trades therein specified.

## COURTS.

### COURT OF BANKRUPTCY.

(Before Mr. Commissioner WINSLOW.)

*Application for release of debtor who had executed a composition deed under section 192 of the Bankruptcy Act, 1861.*

Oct. 5.—*Re Marcus Davis*.—This debtor, who had executed a deed of composition purporting to be within the 192nd section of the Bankruptcy Act, 1861, asked for an order of release from the custody of the sheriff of Middlesex. He had been arrested at the suit of the official liquidators of the Accidental Marine Insurance Corporation, and pending his imprisonment, he executed the deed in question, which provided for payment to creditors, whose claims amounted to £5,661, of a composition of sixpence in the pound. The detaining creditors opposed the application for release, and asked for time to examine the debtor and certain of the creditors who assented to the deed.

*Read*, in support of the application, mentioned that Mr. Justice Willes had recently expressed an opinion that the Court of Bankruptcy was the tribunal by which such questions should be determined, and that Mr. Commissioner Holroyd had in two cases granted the release of debtors who had executed valid composition deeds. (*Vide Re J. W. Perkins, supra*, p. 1039).

Bagley, for the official liquidators, the detaining creditors.

Mr. Commissioner WINSLOW said the *onus* was upon the debtor to show that the deed which he presented was a valid deed under the statute. He had filed an affidavit by which he showed that all the conditions of the 192nd section had been fulfilled, but still, under particular circumstances, the deed might not be binding upon creditors. For the purpose of testing the validity of the deed the learned Commissioner thought the debtor should tender himself for examination if the creditor wished to examine him; and a sitting might be appointed for that purpose, though it would be the duty of the creditors to proceed speedily, and the Court would not allow any unnecessary delay.

It was then asked that the debtor might be ordered to produce two of the assenting creditors for examination.

Mr. Commissioner WINSLOW.—If he desires to obtain the release speedily, perhaps it would be expedient that he should produce them.

Adjourned accordingly.

### GENERAL CORRESPONDENCE.

\* \* Want of space obliges us to postpone our CORRESPONDENCE until next week.

### APPOINTMENT.

MR. WILLIAM FLUX, of East India-avenue, Leadenhall-street, has been appointed a perpetual commissioner for taking the acknowledgments of deeds to be executed by married women in and for the city of London, also in and for the county of Middlesex, and the city and liberties of Westminster.

### SOCIETIES AND INSTITUTIONS.

#### INCORPORATED LAW SOCIETY.

ANNUAL REPORT OF THE COUNCIL SUBMITTED TO THE GENERAL MEETING OF THE MEMBERS, ON JUNE 28, 1867.

(Continued from p. 1073.)

#### Common Law Courts Fees and Salaries Bill.

Shortly after the last annual general meeting this bill was introduced into the House of Commons. The bill had reference mainly to the payment of the common law courts fees into the Consolidated Fund, and the payment thereof of the salaries of the masters; and as to an increase in their salaries. Clauses 6 & 7 of the bill, however, related to matters quite distinct from those already mentioned, and involved principles which so materially affected the interests of the suitors, that the council used every effort to procure their removal from the bill.

The object sought to be effected by these clauses may be briefly stated thus:—

Clause 6.—To give power to the judges, with the approval of the Treasury, to add to, alter, or amend the fees to be taken in the Courts and Offices.

Clause 7.—That no reduction in the existing fees should be made whilst the aggregate annual amount of fees taken was insufficient to meet the payment of the salaries, compensations, and other charges and payments formerly paid out of the fees received in the Common Law Courts, and the compensation to the holders of abolished offices.

The members are doubtless aware that the expenses attending the administration of justice in the Common Law Courts are discharged out of fees paid by the suitors in those courts; but it may not be so generally known that after all these expenses have been paid, there is an annual surplus of nearly £30,000, which, by the operation of these clauses, would have been charged with the compensations payable to the holders of abolished offices, amounting to about £20,000 a year; thus depriving the suitor of the benefit of the surplus, either in the way of reduction of their fees or in any other manner.

The compensations payable to the holders of abolished offices have, by Act of Parliament, been expressly thrown on the Consolidated Fund, and the council therefore felt very strongly that any attempt to alter this state of things, at the expense of the suitor, ought to be resisted.

The council, accordingly, urged on the Treasury the absolute necessity for greater deliberation in dealing with a matter so important to the interests of the suitors, and intimated their intention to oppose to the utmost of their power the retention of the objectionable clauses in the bill.

Deputations from the council had interviews with the Lord Chancellor and the Secretary to the Treasury on the subject, and eventually the Treasury offered to omit clause 7 from the bill.

The council still considered that the clause requiring the concurrence of the Treasury with the judges in fixing the table of fees was most objectionable. They therefore presented a petition from the society to the House of Commons against this part of the bill, and circulated amongst members of Parliament a statement, pointing out that the Treasury were endeavouring to procure, without discussion, a legislative decision in their favour upon a question affecting the interests of the suitors of the Common Law Courts to the extent of nearly £30,000 a year.

The subject was discussed in the House of Commons, and the council desire to acknowledge with gratitude the laborious and able assistance they received from the present Attorney-General Sir John Rolt. At the last moment the Government gave way, and withdrew the clauses; but, at the same time, the Secretary of the Treasury informed the council that they were withdrawn solely on account of its being represented that their provisions had come upon the public by surprise, and that there had not been time, for those opposed to them, to place the matter before their representatives. In reply, the council informed the Treasury that this society would feel it to be their duty to offer their most strenuous opposition to any bill seeking to re-enact provisions of a similar nature.

The council feel that it is a matter for congratulation that they were able successfully to oppose these clauses.

In November last, a deputation from the council waited on the Chancellor of the Exchequer, when the subject was again thoroughly discussed in all its bearings, and after numerous communications with the Treasury, it has now been satisfactorily arranged that as soon as the state of public business affords a reasonable prospect of its being considered, the Lords Commissioners of her Majesty's Treasury will introduce a bill under which the suitor will have placed to his credit a large annual sum in aid of his liability to contribute to the cost of the new palace of justice, and be thus rendered secure against a double taxation, which would have been the case had the objectionable clauses of the bill of 1866 become law.

The council think that the society will regard with satisfaction the results which have attended their efforts on this important subject on behalf of the suitor. It is in matters of this nature that the influence of the society is exercised with great advantage, and the council have reason to know that a strong sense of this its legitimate influence, is entertained in places where it is desirable that it should be respected.

#### Judges' Chambers (Dispatch of Business) Bill.

The subject to which this bill relates is one in which the practitioner is deeply concerned, as it involves, in addition to the interest of his client in having a satisfactory and speedy decision on any point submitted to the judge, his own comfort and convenience in transacting the very important class of business conducted in chambers.

The preamble of the bill implies, as the fact undoubtedly is, that a great deal of business disposed of in chambers is not of sufficient importance to require the personal superintendence of the judges; but the mode in which it is proposed by the bill to alter the present inconvenient system will not, in the opinion of the council, effect the object desired without doing injustice to the suitor.

The practical effect of the bill is, that by means of general rules the judges may confer on the masters of the several courts all the powers and authorities now vested in themselves, with respect to matters which may be specified in such rules.

The council considered that such a power is far too extensive in its operation; and before the second reading of the bill expressed their views in a statement which was extensively circulated amongst the members of the House of Commons. In this statement they submitted that as the bill leaves the power of altering the existing system entirely in the hands of the judges, it is probable that such power will be exercised to the fullest extent, thereby depriving the



suitor of the benefit of the experience of the judges in matters of a very varied and important character. That the jurisdiction of a judge in chambers, which the course of legislation has greatly extended, embraces—

The liberty of the subject in various forms, including the admission of criminal prisoners to bail.

Custody of Infants.

Postponement of trial of causes.

Staying proceedings after verdict, even where the presiding judge has declined to interfere.

Allowance, striking out out, and compulsory amendment of pleadings.

Exhibition of interrogatories to litigants, and compelling them to attend to be orally examined.

Change of venue.

Removal of Indictments by certiorari.

Removal of causes from county and other inferior courts.

Compelling reference to arbitration.

Reviewing taxation of costs.

Delivery of particulars in patent and other causes.

And that many other instances might be added, all tending to show the vast importance of the jurisdiction; that in fact, in many cases, the ultimate result of litigation depends very much on the way in which interlocutory applications are disposed of in chambers.

That these duties have been hitherto most satisfactorily discharged by the judges sitting in chambers, and that many of these matters can be more conveniently dealt with there than in open court; and moreover, in vacation, there is no court sitting in Banco.

That the transfer of such an important jurisdiction to the masters could not, with every respect to those gentlemen as a body, lead to such satisfactory results as have followed its exercise by the judges. That the power of appeal from the master's decision, given by the bill, would be a very imperfect safeguard, as in most cases the jurisdiction is discretionary, and there would naturally be an indisposition on the part of the judges to interfere with the discretion of the master.

That the time of the masters, during their hours of business is already fully occupied, and without increasing the duration of their labours they would be unable to relieve the judges to any appreciable extent. That the number of the masters has not been augmented, while their duties have been greatly extended under the operation of the Common Law Procedure Acts, by the compulsory reference of causes to them. Indeed it frequently happens that in consequence of the difficulty and delay in obtaining an appointment before the master, suitors are driven to the additional expense of appointing a barrister to take the examination of witnesses, instead of having them examined before the master, which throws upon the suitor a much greater expense.

That, at present, there is great inequality in the amount of business transacted before the different masters; but this arises from the unequal division of business in the different courts, and the liberty of the attorney to select the master to whom any matter shall be referred.

That the plan proposed by the bill will multiply the number of practice motions in court during term-time. Already these applications occupy the time of four judges sitting in Banco, and frequently occasion delay and inconvenience by being interposed during an argument of importance; and, moreover, they are generally on matters which could be satisfactorily disposed of by one judge.

That the provision restricting the power of appeal from the Judge in Chambers, on questions adjourned from the Master to the Court, to such cases only in which he shall adjourn the same to the Court, is open to the most serious objection.

That it is very desirable, however, that some change should be made in the present system, as a great deal of the business which now comes before a judge at chambers is of a very simple character, and occupies the time of the judge unnecessarily.

That the entire evil might be effectually removed by a very simple process, viz. —

That the practice established by the Lord Chief Justice of England during the late circuits, should be adopted; and that in future one judge should attend daily for all the courts at chambers, and should be assisted by one of the masters sitting at the same time in another room.

That there should be an immediate power of appeal from the master to the judge, by way of adjournment,—the undue frequency of such appeals being checked by imposing upon

unsuccessful applicants the payment of a small sum for costs.

#### *Admiralty Jurisdiction Bill.*

This bill was introduced into the House of Lords by the Lord Chancellor, and it proposed to give jurisdiction to the High Court of Admiralty, and, within certain limits, to the county courts, over all claims and demands in respect of ships, and of goods carried therein, and to all matters relating to marine insurance.

It appeared to the council, on considering the bill, that it is highly inexpedient to transfer such business to the Court of Admiralty, a court which is governed by legal doctrines and precedents, and has a mode of procedure differing very materially from the courts of law. There is no doubt, however, that it is very desirable to simplify and render less expensive legal proceedings, and to secure, so far as practicable, uniformity of decision; but the proposed measure would, in the opinion of the council, complicate and increase the expense and uncertainty of litigation.

The council also feel that it is undesirable, and contrary to the tendency of modern legislation, to create or perpetuate civil tribunals with special jurisdiction; and that if such tribunals exist, it is very objectionable to give the plaintiff, in each suit, the option of selecting his own tribunal, and choosing between courts regulated by different rules of practice, and using wholly different forms and language, and having distinct courts of ultimate appeal. The employment, also, of paid assessors is very objectionable, and that it is far more satisfactory to allow disputed questions of fact to be decided by juries composed of commercial men, acting independently of the judge, and of each other.

The jurisdiction proposed by the bill to be conferred upon the county courts would practically be unlimited in its extent, inasmuch as it very frequently happens that in insurance and shipping cases, the comparatively small claim sought to be established in the particular action, governs other similar claims, amounting in the aggregate to very large sums of money, arising upon the same policy of insurance, or upon bills of lading in similar form.

The council cannot help thinking also, that it would be preferable to abolish the High Court of Admiralty, and to transfer its jurisdiction, and all its powers to the existing courts of law, and in that case to increase the number of judges in the Superior Courts of Law at Westminster.

These views of the subject were communicated by the council to the Lord Chancellor during the passage of the bill in the House of Lords; and when it went down into the House of Commons, they were embodied in a petition which Mr. Edward James presented to the House. In that petition the council expressed their belief that a comprehensive measure of reform in the jurisdiction, constitution, and mode of procedure of all the superior courts would be a great advantage to suitors, and the public; and that in order to deal satisfactorily and permanently with the whole subject, it is very desirable that it should be considered by a Royal Commission, and that partial legislation, such as is contemplated by the bill, should in the meantime be avoided.

The petition was very extensively circulated amongst members of Parliament.

#### *Execution of Deeds Bill.*

The object of this bill, as introduced into the House of Commons by Mr. Goldney in the early part of the present session, is to simplify and lessen the expense of the execution of deeds by married women, and to amend the law as regards the effect of deeds executed under powers of attorney.

The manner in which these purposes are proposed to be effected may be briefly stated thus:—

To repeal all the provisions in the Acts 3 & 4 Will. 4, c. 74; 17 & 18 Vict. c. 75; and 20 & 21 Vict. c. 57, with regard to the acknowledgments of deeds by married women before a judge or a master in chancery, or two perpetual commissioners, or two special commissioners, and the filing and completion of the certificate of acknowledgment.

That in future every such deed, required by the above Acts to be acknowledged by a married woman, shall be executed before one judge of the superior courts, one perpetual commissioner, or a commissioner for administering oaths in Chancery, or one special commissioner, to be appointed as in the bill provided.

Every commissioner to be entitled to charge for the exami-

nation and acknowledgment, and for the memorandum to be signed by him, a sum not exceeding 10s.

A memorandum is to be endorsed on the deed, and signed by the commissioner or judge; and such memorandum is to be conclusive evidence of the acknowledgment.

To render valid the execution of deeds generally under a special power of attorney; notwithstanding the person appointing the attorney may have died in the interval between the execution of the power and the execution of the deed.

Mr. Goldney having invited the opinion of the council on the alterations proposed to be effected by his bill, they at once proceeded to give the subject consideration. The council concurred in the desirability of reducing the expenses of the present system, which undoubtedly bear hardly on parties transferring property of small value. They also thought that the filing of the certificate and affidavit, and taking an office copy of the certificate, might be safely abolished, and that the endorsement on the deed proposed by the bill would be sufficient for all purposes. They considered that the power to take acknowledgments of married women should not be extended to the commissioners for taking affidavits in Chancery, but that such acknowledgments should continue to be taken by perpetual commissioners, selected by the Lord Chief Justice of the Common Pleas, as gentlemen of standing and experience; that one perpetual commissioner, however, should suffice to take an acknowledgment, instead of two, as heretofore. The council also ventured to point out that they knew, from experience, that much care and knowledge on the part of perpetual commissioners are often required to ascertain and explain the full effect of deeds submitted by married women; that the fee payable to the commissioners ought not to be fixed at any lower sum than that authorised to be taken under the existing regulations; and they directed attention to the circumstance that no provision was contained in the bill for compensating the registrar and clerks in the office proposed to be abolished.

With regard to that part of the bill which relates to the execution of deeds under powers of attorney, the council expressed to Mr. Goldney their opinion that such a clause should be applicable only to powers of attorney for the execution of deeds and documents already prepared, or expressly designated by the power; and that a limit of time from the death of the party executing the power should be specified in the bill; after which it should not be lawful for the attorney to execute the deed or document.

Mr. Goldney, having considered the suggestions which were communicated to him by the council, adopted the amendments which they proposed in the various matters before referred to.

(To be continued.)

## OBITUARY.

### LORD KINGSDOWN.

The Right Hon. Thomas Pemberton-Leigh Lord Kingsdown died on Monday, the 7th, at his residence, Torry Hill, near Sittingbourne, Kent.

Thomas Pemberton was born in London in February, 1794, and his schoolboy days were passed at Dr. Horne's School, at Chiswick, which, though not a "public" school, has produced some men of note. Lord Lyndhurst was schooled there by a predecessor of Dr. Horne's, who, by the way, always predicted that Pemberton would one day become Lord Chancellor, a prediction which was not destined to be fulfilled, his *quondam* pupil declining the proffered honour of the Great Seal in 1858. Among Lord Kingsdown's contemporaries at Chiswick may be mentioned the late Mr. Francis Fuller, senior partner in the firm of Fuller & Saltwell, solicitors, of London. Pemberton left school early, and without going to either university, read law in the chambers of his maternal uncle, Mr. Cooke, an eminent chancery lawyer, and the author, as a contemporary reminds us, of the work on bankruptcy which, according to Sir George Rose, contributed so much to the "doubts" of Lord Eldon. In 1816 Pemberton was called to the bar at Lincoln's-inn. He quickly rose into observation, and here we may quote a few lines from the obituary of the *Times*:

"Although only eighteen months elapsed between his call and the lamented death of Sir Samuel Romilly, then at the head of his profession, that time was long enough for

the over-worked leader to remark the rare qualities and great promise of the youthful junior. Fifty years afterwards Lord Kingsdown, himself a member of the House of Peers, introduced at the bar of that House another peer, Lord Romilly, the son of one of the first prophets of his own success."

In 1829 he became a King's Counsel, the late Lord Justice Knight Bruce receiving his promotion on the same day. Mr. Pemberton, Q.C., practised in the Rolls Court, where he and Bickersteth (afterwards Lord Langdale) divided most of the business between them, and on the retirement of the latter Mr. Pemberton became the leader in that Court. He also appeared constantly before the House of Lords and the Privy Council, where he was pitted and held his own against Sir E. Sugden, Sir J. Campbell, Sir W. Follett, Sir James Wigram, and Sir R. Rolfe. His principal antagonists in his own court were the late Sir George J. Turner and Mr. Kindersley. In 1831 he was returned to Parliament for Rye, and in the year following for Ripon, which latter constituency he represented until 1843. As a Parliamentary speaker he was successful; his speech against the Reform Bill of 1832 was considered by Lord Macaulay to be the most powerful argument ever directed against the measure. In 1834, on Lord Melbourne's resignation of office, the Solicitor-Generalship was offered to Mr. Pemberton and declined by him; Sir W. Follett succeeded to the honour which was thus rejected. In 1840 Pemberton and Sir E. Sugden stood almost alone among the Parliamentary lawyers in opposing Lord John Russell and Sir R. Peel upon the great privilege question which arose out of the well-known case of *Stockdale v. Hansard*. Pemberton played a very important part in this controversy, and Sir R. Peel afterwards regretted not having followed his advice. In 1841, upon the creation of the two new Vice-Chancellorships, one was offered to him, but the proffered office was declined. In the same year he accepted the office of Attorney-General to the Prince of Wales, and in 1843, became Chancellor of the Duchy of Cornwall, in which office his exertions were indefatigable; in this year also he succeeded, upon the death of his cousin on the mother's side, Sir Robert Holt Leigh, to a life interest in estates at Wigan, with a rent-roll of £17,000 a-year, and assumed the name and arms of Leigh in pursuance of a direction in his kinsman's will. He now retired from the bar, and also from political life. In 1858, if not upon another occasion the Great Seal was offered to and declined by him. His peerage which, was conferred under Lord Derby's administration dates from the 28th of August, 1858.

Although well known in years gone by as an eminent chancery lawyer, his name is best known in connection with his judgments in the Privy Council and the House of Lords, and especially in the ecclesiastical cases. We need only refer to the well-known cases of *Gorham v. The Bishop of Exeter*, *Liddell v. Westerton*, *Long v. Bishop of Cape Town*, and the "Essays and Reviews" case—in the Privy Council. His judgments upon these cases were distinguished by a very liberal and tolerant spirit which gained him some enemies among the clerically minded.

He was a sound and indefatigable lawyer, and an accurate and refined scholar, and his labours in the Privy Council and the House of Lords have entitled him to the gratitude of the English nation.

He died unmarried; the title, therefore, becomes extinct.\*

### THE RIGHT HON. H. WADDINGTON.

The Right Hon. Horatio Waddington, late Under-Secretary of State at the Home Office, died at York-pl<sup>ce</sup>, Portman-square, on the 8th October. His death, though sudden, was not unexpected, as, just before he retired from the Home Office, he was warned by his medical advisers that he was suffering from disease of the heart. He was educated at the Charter House and Trinity College, Cambridge (M.A. 1823). He greatly distinguished himself during his academic career, having been a wrangler, chancellor's medallist, university scholar, fellow of Trinity College, and Greek ode and Parson's prizeman.

He was called to the bar at Lincoln's-inn in June, 1825, and for many years practised on the Midland Circuit, during which time he filled the offices of Recorder of Warwick and

\* We have to thank his Lordship's brother, Mr. Edward Leigh Pemberton, for his valuable assistance towards the compilation of the above obituary notice. We have also to acknowledge our obligations to the writer of an obituary notice in the *Kentish Observer*.



Lichfield. In May, 1848, he was selected by Sir George Grey, then Home Secretary, to succeed Mr. March Phillips, on that gentleman resigning the post of Under-Secretary. He continued to discharge the duties of this office till a few months ago, when he resigned on account of ill-health, being succeeded by the Hon. Adolphus Liddell, Q.C. In June, 1866, he was created a member of the Privy Council. He died in his 69th year.

## PUBLIC COMPANIES.

### ENGLISH FUNDS AND RAILWAY STOCK.

LAST QUOTATION, Oct. 10, 1867.

[From the Official List of the actual business transacted.]

#### GOVERNMENT FUNDS.

3 per Cent. Consols, 94½  
Ditto for Account, Nov. 7, 94½  
2 per Cent. Reduced, 92½  
New 3 per Cent., 92½  
Do. 3½ per Cent., Jan. '94  
Do. 2½ per Cent., Jan. '94  
Do. 5 per Cent., Jan. '73  
Annuities, Jan. '80—

Annuities, April, '85  
Do. (Red Sea T.) Aug. 1868 90½  
Ex Bills, £1000, 3½ per Ct. 30 pm  
Ditto, £500, Do 30 pm  
Ditto, £100 & £200, 30 pm  
Bank of England Stock, 4½ per  
Ct. (last half-year)  
Ditto for Account, 253 x d

#### INDIAN GOVERNMENT SECURITIES.

India Stk., 10½ p Ct. Apr. '74, 223  
Ditto for Account  
Ditto 5 per Cent., July, '80 114½  
Ditto for Account  
Ditto 4 per Cent., Oct. '88 99½  
Ditto, ditto, Certificates, —  
Ditto Enhanced Ppr., 4 per Cent. 89

Ind. Enf. Pr., 5 p Ct., Jan. '73, 104½  
Ditto, 5½ per Cent., May, '79, 109½  
Ditto Debentures, per Cent.,  
April, '64 —  
Do. Do., 5 per Cent., Aug. '73  
Do. Bonds, 5 per Ct., £1000, 70 pm  
Ditto, ditto, under £1000, 70 pm.

#### RAILWAY STOCK.

Shares	Railways.	Paid.	Closing Prices.
Stock	Bristol and Exeter .....	100	84
Stock	Caledonian .....	100	105
Stock	Glasgow and South-Western .....	100	110
Stock	Great Eastern Ordinary Stock .....	100	32½
Stock	Do., East Anglian Stock, No. 2 .....	100	6
Stock	Great Northern .....	100	111
Stock	Do., A Stock .....	100	117
Stock	Great Southern and Western of Ireland .....	100	96
Stock	Great Western—Original .....	100	48
Stock	Do., West Midland—Oxford .....	100	30
Stock	Do., do.—Newport .....	100	21
Stock	Lancashire and Yorkshire .....	100	137½
Stock	London, Brighton, and South Coast .....	100	54½
Stock	London, Chatham, and Dover .....	100	39
Stock	London and North-Western .....	100	114½
Stock	London and South-Western .....	100	84
Stock	Manchester, Sheffield, and Lincoln .....	100	50
Stock	Metropolitan .....	100	124½
Stock	Midland .....	100	129½
Stock	Do., Birmingham and Derby .....	100	90
Stock	North British .....	100	39½
Stock	North London .....	100	117
10	Do., 1866 .....	5	6½
Stock	North Staffordshire .....	100	66
Stock	South Devon .....	100	47
Stock	South-Eastern .....	100	69
Stock	Taff Vale .....	100	145
10	Do., C .....	—	—

\* A receives no dividend until 6 per cent. has been paid to B.

#### MONEY MARKET AND CITY INTELLIGENCE.

Thursday Night.

The past week opened with rather an augmentation of the dullness and depression which is now the order of the day; a slight recovery then ensued, and at the present time the markets are at about the same dead level which the last few weeks have witnessed. The Paris Bourse has had an extremely depressing effect upon the English Stock Exchange this week. Consols are a little brisier than other investments, and Thursday witnessed a rise of one-eighth. The amount of bullion in the Bank is now some 67 per cent. in advance of the average, and the reserve 76 per cent. Money, both on Change and in open market, can be had at 1½ per cent. Next week will send some six millions into the pockets of the public, in the shape of dividends, and the effect of this upon the state of the markets is a curious subject for speculation. Very little is done in the share markets.

A dividend of 2s. in the pound is now payable to the Overend, Gurney, & Co. creditors, from Wednesday to Saturday inclusive, making, with previous dividends, 12s. in all. The amount so payable is about £400,000.

The City Chamberlain has, under the Holborn Valley Improvement Act, 1867, invited subscriptions for £500,000 City Bonds at 2½ per cent. for 10 years. The security is a special hypothecation of the coal duties (already subject to a charge of £850,000) and the general revenues of the corporation. Rentes 68 f. 30 c.

## BIRTHS, MARRIAGES, AND DEATHS.

### BIRTHS.

CLARKE—On Oct. 3, at 12, Gloucester-cottages, Park-road, Peckham, the wife of Edward Clarke, Esq., Barrister-at-Law, of a son.  
GULLEY—On Oct. 4, at 26, Bedford-street South, Liverpool, the wife of William Court Gulley, Esq., Barrister-at-Law, of a son.  
JONES—On Oct. 8, at 8, Leinster-gardens, Hyde-park, the wife of W. S. Jones, Esq., Barrister-at-Law, of a daughter.  
WAEICK—On Sept. 29, the wife of John Henry Waeick, Esq., Solicitor, of 5, Lyme-street, Camden-town, N.W., and 23, Great James-street, Bedford-row, W.C., of a daughter.

### MARRIAGES.

CANNOCK—BULLEN—On Oct. 2, at Newent, John Careless Cannock, Esq., Solicitor, of Newent, to Fanny, daughter of the late John Bullen, of Biggin-grange, Northamptonshire.  
CLUTTERBUCK—BALDWIN—On Oct. 8, at Fakenham, Norfolk, Richard Henry Clutterbuck, Esq., Solicitor, Carlisle, to Mary Rose, daughter of Geo. Thos. Baldwin, Esq., of Fakenham.  
LABILLIERE—RAVENSHAW—On Oct. 9, at St. Saviour's Church, Paddington, Francis Peter Labilliere, Esq., Barrister-at-Law, of the Middle Temple, to Adelaide, daughter of the late Rev. Edward Ravenshaw, rector of West Kingston, Wilts.  
WEBB—CANNOCK—On Oct. 3, at Newent, John Webb, M.R.C.S., L.S.A., of Blakeney, to Annie, daughter of the late Joseph Cannock, Esq., Solicitor, of Newent.

### DEATHS.

HOWARD—On Aug. 29, at Bombay, Edward Irvine Howard, Esq., M.A., Barrister-at-Law, aged 41.  
KINGSDOWN—On Oct. 7, at Torry-hill, Thomas, Lord Kingsdown, aged 74.  
LAW—On Oct. 7, at 10, Gayfield-square, Edinburgh, James Law, Esq., W.S., formerly of 18, Fludyer-street, Westminster.  
SUTHERLAND—On Oct. 8, at No. 6, Clarence-parade, Southsea, Kenneth Leish Sutherland, Esq., Barrister-at-Law, Paymaster of the Royal Yacht, aged 52.

## LONDON GAZETTES.

### Binding-up of Joint Stock Companies

FRIDAY, Oct. 4, 1867.

#### LIMITED IN CHANCERY.

East Pant Du United Lead Mining Company (Limited).—Vice-Chancellor Wood has, by an order dated Aug 9, appointed George Haswell, Chester, official liquidator.  
New Mansfield Copper and Silver Mining Company (Limited).—Petition for winding up, presented Oct. 3, directed to be heard before Vice-Chancellor Malins, at the Angel Hotel, Godalming, on Wednesday, Oct 16 at 11.30. Davidson & Co, Basinghall-st, solicitors for the petitioners.

#### COUNTY PALATINE OF LANCASTER.

Iale of Man Railway Company (Limited).—Vice-Chancellor of the County Palatine of Lancaster has, by an order dated Sept 27, appointed John Bewley, 4, Brown's-buildings, Lpool, official liquidator. Creditors are required, on or before Oct 21, to send their names and addresses, and the particulars of their debts or claims, to John Bewley, 4, Brown's-buildings, Lpool. Tuesday, Nov 5 at 10, is appointed for hearing and adjudicating upon the debts and claims.

#### STANNARIES OF CORNWALL.

Bosworthen and Penance Consols United Mining Company (Limited).—Petition for winding up, presented Sept 27, directed to be heard before the Vice-Warden, at the College Hall, Exeter, on Oct 15 at 1. Affidavits intended to be used at the hearing in opposition to the petition must be filed at the Registrar's office, Truro, on or before Oct 10, and notice thereof must at the same time be given to the petitioners, their solicitor, or his agents.

TUESDAY, Oct. 8, 1867.

#### LIMITED IN CHANCERY.

Tottington Manufacturing Company (Limited).—Petition for winding up, presented Sept 20, directed to be heard before the Vice-Chancellor of the County Palatine of Lancaster, at the next sitting of the Court, in Manchester, on Nov 27. Marsland & Adleshaw, Manchester, solicitors for the petitioner.

### Friendly Societies Dissolved.

TUESDAY, Oct. 8, 1867.

Working Men's Friendly Society, Queen-Inn, St Bowden, Leicester. Sept 5.

#### Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

FRIDAY, Oct. 4, 1867.

Childs, Hy, Iford, Essex, Licensed Victualler. Nov 1. Murray & Hutchins, Birchin-lane.  
Cowie, Hy Chas, St Ann's-lane, Newspaper Agent. Nov 13. De Jersey & Co, Gresham-st West.  
Downing, Wm, Tunstall, Stafford. Nov 30. Higginbotham & Barclay, Macclesfield.  
Evans, Rev David Joshua, Remenham Rectory, Berks. Nov 14. Cave, Reading.  
Gardiner, John, Victoria-cottages, London-rd, Romford. Nov 12. Mason & Co, Gresham-st.  
Goodfellow, Geo, Acton-house, Acton, Esq. Dec 1. Rocks & Co, Eastcheap.  
Green, Sarah, Upton-upon-Severn, Worcester, Widow. Dec 2. Gregory, Upton-upon-Severn.  
North, Abraham, Leeds, Engineer. Dec 1. Rooke, Leeds.  
Peach, Benj, Bath, Esq. Nov 8. Stone & Co, Bath.  
Peters, Wm, Wouldham-hall, at Rochester, Kent, Esq. Nov 15. King & Co, Maidstone.  
Reuss, Ernst, Manch, Merchant. Nov 16. Canlife & Leaf, Manch.

Revill, Thos, Newark, Nottingham, Smith. Oct 1. Ashley, Newark-upon-Trent.  
 Ring, John, Wheatley, Oxford, Malster. Nov 15. Mallam, Oxford.  
 Selby, Thos, Azeby, Lincoln, Farmer. Dec 1. Thomson, Grantham.  
 Speer, Wilfred Dakin, Thames Ditton, Surrey, Esq. Nov 10. Kempson & Co, Abingdon-st, Westminster.  
 Swana, Wm, Newcastle-upon-Tyne, Gent. Dec 31. Hoyle & Co, Newcastle-upon-Tyne.  
 Vickerman, John, Bury, Lancaster, Stationer. Nov 2. Watson, Bury.  
 Waller, Thos, Duke-st, Grosvenor-sq, Staymaker. Dec 10. Burgoyne & Co, Oxford-st.  
 Wright, Rev Chas, Silchester Rectory, Southampton, Clerk. Nov 39. Rushton & Armistead, Bolton-le-Moors.

**TUESDAY, Oct. 8, 1867.**

Acworth, Joseph, Boughton-under-the-Blean, Gent. Nov 19. Johnson, Faversham.  
 Bowly, Elizabeth, Cirencester, Gloucester, Widow. Dec 1. Sewell & Co, Cirencester.  
 Cooper, Edwd, Newark-upon-Trent, Nottingham, Gent. Oct 31. Ashley, Newark-upon-Trent.  
 Earnshaw, Ann, Hesse, York, Widow. Dec 2. Lightfoot & Co, Hull.  
 Holland, John, Roughwood Mill, Betchton, Chester, Miller. Nov 29. Cooper, Congleton.  
 Jeffreys, Jas, Manch, Hotel Keeper. Jan 1. Hodgson, Manch.  
 Jones, Griffiths Wm, Neath, Glamorganshire, Surgeon. Nov 13. Jones & Curtis, Neath.  
 Kempson, Jane, Birchfield, Hereford, Widow. Nov 1. Surr & Gribble, Nicholas-lane.  
 Moore, Ann, Leicester, Spinster. Nov 1. Dalton, Leicester.  
 Morris, Edwd, Oswestry, Salop, Gent. Jan 1. Minshall, Oswestry.  
 Richardson, Wm, Killinghall, York, Timber Merchant. Jan 1. Hick & Jones, Leeds.  
 Settle, Joseph, Leeds, Solicitor. Dec 15. Butler & Smith.  
 Smith, Chas Bevan, Quedgly, Gloucester, Yeoman. Nov 1. Burrup, Gloucester.  
 Smyth, Hy, Sandown, Isle of Wight, Esq. Aug 24. Worsley & Vincent, Ryde.  
 Syer, Dey Richd, Kedington, Suffolk, Commander R.N. Nov 14. Jackson, Haverhill.  
 Timmins, Hy Wm, Kidderminster, Worcester, Foreman Mechanic. Dec 1. Morton, Kidderminster.

**Deaths registered pursuant to Bankruptcy Act, 1861.**

**FRIDAY, Oct. 4, 1867.**

Annerau, John, Featherstone-st, City-rd, Cabinet Manufacturer. Sept 27. Comp. Reg Oct 4.  
 Beks, Chas Tilstone, Bekesbourne, Kent, Esq. Sept 24. Comp. Reg Oct 3.  
 Blayney, Saml, East India-rd, Poplar, out of business. Sept 20. Comp. Reg Oct 2.  
 Booth, Joseph, Keighley, York, Grocer. Sept 9. Asst. Reg Oct 3.  
 Bolton, Henrietta, Warrington, Lancaster, Hosier. Sept 6. Asst. Reg Oct 2.  
 Burge, Edwin, jun, Hereford, Mercer. Sept 9. Comp. Reg Oct 2.  
 Butler, Wm Hy, Newcastle-upon-Tyne, Bookseller. Oct 1. Conv. Reg Oct 4.  
 Callimore, Thos, Coleford, Gloucester, Cordwainer. Sept 23. Comp. Reg Oct 2.  
 Drable, Jas, Sheffield, Shopkeeper. Sept 6. Asst. Reg Oct 2.  
 Dunkley, Geo, Lutterworth, Leicester, Shoemaker. Sept 20. Asst. Reg Oct 2.  
 Eales, Wm, Towcester, Northampton, Grocer. Sept 6. Comp. Reg Oct 1.  
 Fisher, Saml, Kingston-upon-Hull, Ale and Porter Merchant. Sept 20. Conv. Reg Oct 2.  
 Fletcher, Robt, Chesterfield, Derby, Licensed Victualler. Sept 6. Asst. Reg Oct 1.  
 Gill, Roger, Keighley, York, Cotton Manufacturer. Sept 12. Asst. Reg Oct 4.  
 Greville, Peniston Grosvenor, St Swithin's-lane, Gent. Sept 3. Comp. Reg Oct 1.  
 Grey, Wm Geo, Lupus-st, Fimlico, Draper. Sept 19. Comp. Reg Oct 3.  
 Gunn, Jabez, Woodford, Northampton, Miller. Sept 7. Conv. Reg Oct 2.  
 Harmer, Wm, jun, Lowestoft, Suffolk, Draper. Sept 18. Comp. Reg Oct 3.  
 Harvey, Edwin Welch, Derby, Joiner. Sept 3. Asst. Reg Oct 1.  
 Heath, Wm Edmd, Euston-rd, Clerk. Sept 27. Comp. Reg Oct 2.  
 Horton, Fredk, Sheffield, Electro Plate Manufacturer. Oct 2. Comp. Reg Oct 4.  
 Howell, Chas Wellington, Lloyds, Underwriter. Oct 1. Comp. Reg Oct 2.  
 Hunt, John, Charlton Kings, Gloucester, Shoemaker. Sept 3. Asst. Reg Oct 1.  
 Jones, David, Merthyr Tydfil, Glamorgan, Grocer. Sept 9. Conv. Reg Oct 3.  
 Lawton, Frank, Oldham, Lancaster, Cotton Dealer. Sept 10. Comp. Reg Oct 2.  
 Lee, Wm Fredk, Mary's-cottage, Oriol-rd, Homerton, Clerk. Sept 21. Comp. Reg Oct 4.  
 Middleton, Fredk, South Shields, Durham, Beerhouse Keeper. Sept 3. Comp. Reg Oct 1.  
 Orlerton, John, Wigan, Lancaster, Draper. Sept 18. Comp. Reg Oct 2.  
 Pickering, Wm Huzzard, Camomile-st, Bishopgate-st, Carman. Sept 18. Comp. Reg Oct 4.  
 Pierre, Alexandre, Brighton, Coach Maker. Sept 4. Asst. Reg Oct 2.  
 Pridgeon, Saml, Commerce-pl, Lower Norwood, Draper. Sept 22. Asst. Reg Oct 2.  
 Rawlins, Thos, Heathfield-rd, Stafford, Plumber. Sept 9. Comp. Reg Oct 2.  
 Rice, Walter, Westown, Dewsbury, York, Tinner. Sept 4. Asst. Reg Oct 1.

Simcox, Benj, jun, Parkgate, nr Rotherham, York, Beerhouse Keeper. Sept 9. Comp. Reg Oct 3.  
 Simonds, Catherine Sarah, Atherstone, Warwick, Hat Manufacturer. Sept 27. Comp. Reg Oct 2.  
 Skee, John, South Shields, Durham, Tailor. Sept 12. Asst. Reg Oct 1.  
 Smith, Albert, Boxford, Suffolk, Dissenting Minister. Sept 22. Comp. Reg Oct 3.  
 Stablerford, Wm, Devonshire-st, Portland-pl, Carpenter. Sept 21. Asst. Reg Oct 2.  
 Steer, Alex, Hardwick-pl, Commercial-rd East, Corn Dealer. Oct 3. Comp. Reg Oct 4.  
 Stewart, Robt Bird, Lambourn, Essex, Farmer. Oct 3. Comp. Reg Oct 4.  
 Toynce, Fras Albert, & Thos Voce, King-st, Cheapside, Linen Factors. Sept 5. Comp. Reg Oct 3.  
 Walker, Jas, Wolverhampton, Stafford, Gent. Sept 9. Comp. Reg Oct 4.  
 Walsh, Augustus, King-st, Battersea, Baker. Sept 2. Comp. Reg Oct 1.  
 Warren, Wm, Thurlow-pl, East-st, Walworth, Hatter. Sept 24. Comp. Reg Oct 3.  
 White, Anthony Edmd Dyer, Prince-st, Leicester-sq, Furniture Dealer. Sept 17. Comp. Reg Oct 2.  
 Williams, Wm, Camp-hill, nr Birm, Comm Agent. Oct 2. Comp. Reg Oct 4.  
 Wordingham, Robt, Norwich, Plumber. Sept 12. Comp. Reg Sept 30.

**TUESDAY, Oct. 8, 1867.**

Adams, John, Torquay, Devon, Boot Maker. Oct 5. Comp. Reg Oct 5.  
 Adams, Wm, Withyham, Sussex, Grocer. Sept 18. Asst. Reg Oct 7.  
 Arnold, Wm, Wigan, Lancaster, Bricklayer. Oct 2. Asst. Reg Oct 5.  
 Ashworth, John, Rochdale, Lancaster, Woollen Manufacturer. Sept 10. Asst. Reg Oct 5.  
 Asprey, Eliza, Langford-villas, Langford-pl, St John's Wood, Widow. Sept 7. Comp. Reg Oct 5.  
 Balding, Chas, Willow-walk, Grange-rd, Bermondsey, Tanner. Oct 1. Comp. Reg Oct 5.  
 Bowler, Edwd Geo, Claines, Worcester, Draper. Sept 16. Conv. Reg Oct 5.  
 Chambers, Chas, & Wm Hy Hancox, Birm, Boot Upper Manufacturers. Sept 14. Asst. Reg Oct 5.  
 Chutter, Wm, Upper Stamford-st, Lambeth, Builder. Sept 23. Asst. Reg Oct 7.  
 Coverdale, Geo, Walworth-rd, Milliner. Sept 30. Comp. Reg Oct 7.  
 Creighton, Margaret, Charlotte-pl, Walworth-rd, Linen Collar Manufacturer. Sept 5. Asst. Reg Oct 2.  
 Candall, Robt, Bramley, nr Leeds. Sept 24. Comp. Reg Oct 5.  
 Dove, Wm, Downham Market, Norfolk, Brasier. Sept 6. Comp. Reg Oct 4.  
 Edgar, John, Sherborne, Dorset, Carrier. Sept 10. Comp. Reg Oct 4.  
 Eley, Edwd, Farrington-rd, Retailer of Beer. Oct 2. Comp. Reg Oct 4.  
 Fairley, Robt, Joseph Fairley, & Wm Fletcher, Sunderland. Sept 11. Asst. Reg Oct 1.  
 Ferguson, Duncan Christie, Stretford, nr Manch, Schoolmaster. Sept 26. Comp. Reg Oct 5.  
 Finnan, John, Birkenhead, Chester, Provision Dealer. Sept 27. Comp. Reg Oct 7.  
 Frankish, Thos, Gawthorpe, York, Shopkeeper. Sept 11. Comp. Reg Oct 5.  
 Gerish, Saml, Buttersland-st, East-rd, City-rd, Engineer. Oct 4. Comp. Reg Oct 5.  
 Greatorex, Thos, Leicester-pl, Leicester-sq, Wine Merchant. Sept 30. Comp. Reg Oct 8.  
 Harrop, Horatio Nelson, Manch, Porter Merchant. Sept 30. Comp. Reg Oct 5.  
 Hickey, Patrick, Walsall, Stafford, Travelling Draper. Sept 30. Comp. Reg Oct 5.  
 Holloway, John, Cardiff, Glamorgan, Coach Builder. Sept 6. Asst. Reg Oct 4.  
 Hughes, Jas, Roman-rd, Old Ford, Colourman. Oct 4. Comp. Reg Oct 5.  
 Johnson, Isaac, Darlington, Durham, Grocer. Sept 20. Comp. Reg Oct 5.  
 Jones, Jas, Kempsey, Worcester, Baker. Sept 30. Conv. Reg Oct 5.  
 Longhurst, Thos, Town Malling, Kent, Innkeeper. Sept 23. Comp. Reg Oct 5.  
 Marshall, Saml, Theberton-st, Islington, Bread Baker. Sept 23. Asst. Reg Oct 8.  
 Measor, Chas Pennell, Camden-rd, Middx, Gent. Oct 1. Comp. Reg Oct 5.  
 Moody, John, Cardiff, Glamorgan, Outfitter. Sept 14. Comp. Reg Oct 7.  
 Morgan, Wm, Wolverhampton, Stafford, Confectioner. Sept 9. Asst. Reg Oct 5.  
 Pearson, Joseph, Compton, Stafford, Coal Dealer. Sept 19. Asst. Reg Oct 8.  
 Rednall, Fredk, Fittingham, Suffolk, Builder. Sept 10. Asst. Reg Oct 5.  
 Sheat, Edwin Benj, King's-rd, Chelsea, Perfumer. Oct 7. Comp. Reg Oct 8.  
 Sheene, Alfred, Apollo-pl, Chelsea, Manager at a Laundry. Sept 16. Comp. Reg Oct 4.  
 Slomith, Saml, Manch, Cotton Waste Dealer. Oct 1. Comp. Reg Oct 7.  
 Smedley, Wm, Stapleford, Nottingham, Glove Fabric Manufacturer. Sept 9. Conv. Reg Oct 7.  
 Storr, Paul, Kingston, Sussex, Lieut. Royal Navy. Sept 25. Comp. Reg Oct 6.  
 Thomas, Dani Showlin, Tottenham-ct-rd, Linen Draper. Sept 20. Comp. Reg Oct 8.

Townsend, Wm, Abingdon, Berks, Builder. Sept 16. Asst. Reg Oct 8.  
 Villa, Jules Edwd, Joiner-st, Tooley-st. Sept 18. Comp. Reg Oct 7.  
 West, Jas, Bury-st, Bloomsbury, Builder. Oct 1. Asst. Reg Oct 8.  
 Westbrook, Chas, Sheffield, Medical Papil. Sept 11. Asst. Reg Oct 7.  
 Whittet, Jas Murray, Albany-rd, Camberwell-rd, Bookkeeper. Sept 24. Comp. Reg Oct 8.

### Bankrupts.

FRIDAY, Oct. 4, 1867.

To Surrender in London.

Atkins, Edmd, London Colney, Hert, Licensed Victualler. Pet Oct 1. Roche. Oct 18 at 11. Dobie, Basinghall-st.  
 Ant, Hy, Stratford, Essex, Schoolmaster. Pet Sept 30. Oct 22 at 12. Dobie, Basinghall-st.  
 Barlow, Wm, Prisoner for Debt, London. Pet Oct 1 (for pau). Roche. Oct 18 at 12. George, Fenchurch-st.  
 Behmann, Jas T, Gt Yarmouth, Norfolk, Lodging-house Keeper. Pet Sept 19. Oct 23 at 11. Linklaters & Co, Walbrook.  
 Bell, John, Leyton, Essex, Insurance Agent. Pet Oct 1. Roche. Oct 18 at 11. Greenfield, Basinghall-st.  
 Brown, Wm Hy, High-st, Woolwich, Licensed Victualler. Pet Sept 28. Oct 22 at 12. Heap, New-inn.  
 Collins, Chas Edwd, Prisoner for Debt, London. Pet Sept 27 (for pau). Brougham. Oct 23 at 11. Dobie, Basinghall-st.  
 Crawford, Geo, Regent-st, Pianoforte Manufacturer. Pet Sept 30. Oct 22 at 11. Laundry & Kent, Cecil-st, Strand.  
 Cross, Hy, Bishopsgate-st Without, Wine Merchant. Pet Sept 26. Oct 15 at 11. Parker, jun, Bedford-row.  
 Darling, Jas, Wickham, nr Bracknell, Berks, Veterinary Surgeon. Pet Oct 3. Roche. Oct 18 at 12. Sale & Co, Aldermanbury.  
 Dye, Richd, Ware, Hertford, out of business. Pet Oct 3. Roche. Oct 18 at 11. Briant, Old Broad-st.  
 Dupont, Geo, Lavenham, Suffolk, Postmaster. Pet Oct 2. Roche. Oct 18 at 12. Harper, Philpot-lane.

Gadsby, Edwd, Northampton, Machine Fitter. Pet Sept 30. Oct 22 at 11. Metcalf, Furnival's-inn.  
 Guy, Chas, Ryde, Isle of Wight, Seedman. Pet Sept 30. Oct 22 at 11. Beckingsale, Ryde.  
 Hett, Alex, Prisoner for Debt, London. Pet Sept 30 (for pau). Brougham. Oct 22 at 11. Dunn, Lodgegate-hill.  
 Hibbins, Wm, Ham-common, Surrey, Greengrocer. Pet Sept 30. Oct 22 at 12. Dobie, Basinghall-st.  
 Larier, Francis, Prisoner for Debt, Surrey. Pet Sept 27 (for pau). Brougham. Oct 23 at 11. Dobie, Basinghall-st.  
 Mallia, Wm Hy, Prisoner for Debt, Surrey. Pet Oct 1 (for pau). Pepps. Oct 18 at 12. Dobie, Basinghall-st.  
 Nichols, Saml Atkinson, Old Kent-rd, Oilman. Pet Sept 26. Oct 15 at 12. Silvester, Gt Dover-st, Newington.  
 Parsons, Chas, Gt Saffron-hill, Holborn, General-shop Keeper. Pet Oct 3. Roche. Oct 18 at 12. Hutson, Upper Clifton-st, Finsbury.  
 Peters, Benj, Catherine-ter, Kensington, out of business. Pet Oct 1. Roche. Oct 18 at 12. Lewis & Co, Old Jewry.

Quinnell, Jas, jun, Globe-rd, Mile-end-rd, Leatherseller. Pet Oct 1. Roche. Oct 18 at 11. Hoppe & Boyle, Sun-ct, Cornhill.  
 Ridge, Francis, Croydon, Surrey, Baker. Pet Sept 26. Oct 15 at 11. Marshall, Lincoln's-inn-fields.  
 Rogers, Ismael, jun, High-st, Camden-town, Boot Manufacturer. Pet Sept 30. Oct 22 at 12. Payne, Bedford-row.  
 Shilwell, Hy, Prisoner for Debt, Surrey. Pet Oct 1 (for pau). Roche. Oct 18 at 11. Dobie, Basinghall-st.  
 Thyer, Jas, Paul's-rd, Highbury, out of employ. Pet Oct 1. Roche. Oct 18 at 11. Ashurst & Co, Old Jewry.  
 Vinten, Hy, Maidstone, Kent, Coal Merchant. Pet Sept 30. Oct 22 at 11. Drew & Co, Fore-st.  
 Warrington, Robt, Churchill-rd, Upper Holloway, Chandler's-shop Keeper. Pet Sept 30. Oct 23 at 11. Marshall, Lincoln's-inn-fields.  
 Wilson, Wm, Ryde, Isle of Wight, Licensed Victualler. Pet Sept 30. Oct 22 at 12. White, Dane's-inn, Strand.  
 Windust, Alfred, Prisoner for Debt, London. Pet Sept 26 (for pau). Brougham. Oct 15 at 12. Hicks, Basinghall-st.

To Surrender in the Country.

Avery, Hy Walter, Prisoner for Debt, Reading. Adj Sept 21. Collins. Reading. Oct 19 at 11. Smith, Reading.  
 Bateman, Reuben, Poulton-cum-Seacombe, Chester, Painter. Pet Oct 1. Wason. Birkenhead. Oct 15 at 2. Browne, Lpool.  
 Becknell, Chas, sen, Southsea, Hants, Gasfitter. Pet Sept 28. Howard. Portsmouth. Oct 16 at 12. White, Portsea.  
 Blake, Wm, jun, Prisoner for Debt, Winchester. Adj Sept 20. Howard. Portsmouth. Oct 16 at 12. White, Portsea.  
 Boyes, Andrew Birrell, Norwich, Shopkeeper. Adj Sept 18 (for pau). Palmer. Norwich. Oct 18 at 11. Emerson, Norwich.  
 Burke, Michael, Prisoner for Debt, Walton. Adj Aug 15. Hime. Lpool. Oct 16 at 3.  
 Carpenter, John, Cirencester, Gloucester, Shoemaker. Pet Oct 1. Anderson. Cirencester. Oct 16 at 12. Cooke, Cirencester.  
 Cough, Alex, Birkenhead, Chester, Ship Broker. Pet Sept 30. Lpool. Oct 14 at 11. Hawkins, Lpool.  
 Cooper, Wm, Kingston Langley, Wilts, Stonemason, Pet Sept 28. Phillips. Chippenham. Oct 18 at 11. Bakewell, Chippenham.  
 Corrie, Richd, Prisoner for Debt, Chester. Adj Sept 18. Lpool. Oct 14 at 12.

Derlarton, John, Prisoner for Debt, Worcester. Pet Sept 23. Watson. Worcester. Oct 21 at 11. Shakespeare & Hartill, Oldbury.  
 Dunmore, Thos, Northampton, Grocer. Oct 2. Dennis. Northampton. Oct 19 at 10. White, Northampton.  
 Eliam, Jos, Prisoner for Debt, York. Adj Aug 17. Jones. Huddersfield. Oct 18 at 10.  
 Esard, Wm, Fley, York, Joiner. Pet Oct 1. Leeds, Oct 14 at 11. Richardson, Brington.  
 Evans, Danl, Lpool, Comm Agent. Pet Sept 30. Lpool, Oct 15 at 11. Ety, Lpool.  
 Evans, Hy, Chemist, Birm. Pet Sept 30. Guest. Birm, Nov 1 at 10. Maher, Birm.  
 Gason, Susannah, Lpool, Pawnbroker. Pet Oct 1. Lpool, Oct 15 at 11. Ety, Lpool.

Halifax, Wm, & Ann, Halifax, Prisoner for Debt, Nottingham. Adj Aug 20. Pachitt. Nottingham. Oct 28 at 11.  
 Haslam, John Hy, Sheffield, Table Knife Manufacturer. Pet Sept 21. Leeds, Oct 16 at 12. Unwin, Sheffield.  
 Heard, Danl, Camelford, Cornwall, Innkeeper. Pet Sept 25. Hawker. Camelford. Oct 23 at 10. Mall, Camelford.  
 Heard, David, Gorleston, Suffolk, Carpenter. Pet Sept 23. Chamberlin. Gt Yarmouth. Oct 16 at 12. Wiltshire, Gt Yarmouth.  
 Helloway, Richd Hy, Redruth, Cornwall, Attorney-at-Law. Pet Oct 2. Exeter. Oct 16 at 11. Fryer, Exeter.  
 Jinks, Hy, Leicester, Beerhouse Keeper. Pet Oct 1. Birm, Oct 15 at 11. Owston, Leicester.  
 Jones, Thos, Shrewsbury, Salop, Builder. Pet Sept 30. Feale. Shrewsbury. Oct 21 at 11. Clarke, Shrewsbury.  
 Lansdell, Wm, Bunwell, Norfolk, Licensed Victualler. Pet Sept 30. Feltham. Wymondham. Oct 23 at 2. Stanley, Norwich.  
 Lea, Jas, Prisoner for Debt, Lancaster. Adj Sept 18. Lpool, Oct 14 at 11.  
 Light, Wm Hy, Moreton, Chester, Railway Traffic Manager. Pet Sept 28. Wason. Birkenhead. Oct 15 at 2. Steinforth, Birkenhead.  
 Marsden, Wm, Prisoner for Debt, Lancaster. Adj Sept 18. Hulton. Salford. Oct 19 at 9.30.  
 Mercer, Wm, Prisoner for Debt, Lancaster. Adj Sept 18. Macrae. Manch, Oct 15 at 11.  
 Paine, Hy Crosby, Binsted, Southampton, Licensed Victualler. Pet Sept 30. Clement. Alton. Oct 15 at 11. White, Guildford.  
 Palin, Wm, Oxton, Chester, Comm Agent. Pet Oct 2. Wason. Birkenhead. Oct 15 at 2. Browne, Lpool.  
 Robinson, Jacob, Middlesbrough, York, Innkeeper. Pet Oct 3. Leeds. Oct 21 at 11. Cariss & Tempost, Leeds.  
 Robinson, Wm Fredk, Southtown, Suffolk, Police Constable. Pet Oct 1. Chamberlin. Gt Yarmouth. Oct 16 at 11. Wiltshire, Gt Yarmouth.  
 Sanderson, Wm, Middlesbrough, York, Shoe Maker. Pet Oct 2. Crosby. Stockton-on-Tees. Oct 16 at 11. Dobson, Middlesbrough.  
 Savage, Wm, Beasly, Nottingham, Machine Owner. Pet Sept 30. Newton. Newark. Oct 16 at 12. Ashley, Newark-upon-Trent.  
 Sergeant, John, jun, Gorton, Lancaster, out of business. Pet Sept 27. Cockpock. Stockport. Oct 13 at 12. Gardner, Manch.  
 Sinclair, Alex, Prisoner for Debt, Walton. Adj Sept 18. Lpool, Oct 14 at 12.  
 Snelson, Hy Baddeley, Congleton, Chester, Greecr. Pet Oct 1. Latham. Congleton. Oct 13 at 11. Washington, Congleton.  
 Taylor, Geo, Headington, Oxford, Carpenter. Pet Sept 26. Dudley. Oxford. Oct 17 at 9.30. Thompson, Oxford.  
 Taylor, Thos John, Middlesbrough, York, Professor of Music. Pet Sept 26. Crosby. Stockton-on-Tees. Oct 16 at 11. Griffin, Middlesbrough.  
 Templeton, Hy, Sheffield, Comedian. Pet Sept 27. Wake. Sheffield. Oct 17 at 1. Roberts, Sheffield.  
 Tidwell, Hoo Hole, Mytholmroyd, York, Corn Miller. Pet Oct 3. Leeds. Oct 21 at 11. Janson & Banks, Wakefield.  
 Tonge, Thos, Fendleton, Lancaster, Porter and Coal Dealer. Pet Sept 28. Macrae. Manch, Oct 18 at 11. Heath & Sons, Manch.  
 Turner, Thos, Prisoner for Debt, Warwick. Pet Sept 26. Kirby. Coventry. Oct 15 at 2. Smallbone, Coventry.  
 Usher, Thos, Christopher, Durham, Mason. Pet Oct 1. Greenwall. Durham. Oct 16 at 12. Marshall, jun, Durham.  
 Westley, John Cecil, Dudley, Worcester, Brassfounder. Pet Oct 1. Walker. Dudley. Oct 17 at 12. Lowe, Dudley.  
 Yates, Wm, Prisoner for Debt, Stafford. Pet Sept 1. Challiner. Hanley. Nov 2 at 11.  
 Yenlett, Wm Hy, Prisoner for Debt, Winchester. Adj Sept 30. Howard. Portsmouth. Oct 16 at 12. White, Portsea.

TUESDAY, Oct. 8, 1867.

To Surrender in London.

Bird, Robt Hardy, Albion-rd, Hammersmith, Builder. Pet Oct 4. Roche. Oct 23 at 12. Webb, Austinfrids, Old Broad-st.  
 Boss, John, Anthony-st, Commercial-road East, Carpenter. Pet Oct 4. Roche. Oct 23 at 12. Hope, Ely-pl.  
 Clarke, Wm Hy, Gt Tower-st, Wine Merchant. Pet Oct 4. Roche. Oct 19 at 1. Denny, Coleman-st.  
 Cohnreich, Theodor, Reel-grove, Cambridge-heath, Victoria-pk. Pet Oct 5. Roche. Oct 23 at 1. Murray, Gt St Helena.  
 Coscia, Chas, Prisoner for Debt, London. Adj Sept 19. Oct 23 at 11. Cranridge, Wm Hy, High-st, Camden Town, Draper. Pet Sept 26. Roche. Oct 23 at 1. Davidson & Co, Basinghall-st.  
 Field, Michael Edwd, Norfolk-st, Rye-lane, Peckham, out of business. Pet Oct 5. Roche. Oct 23 at 1. Brown, Basinghall-st.  
 Hartfield, Edwd, Prisoner for Debt, Lewes. Pet Oct 3. Roche. Oct 23 at 1. Lawrence & Co, Old Jewry-chambers.  
 Holland, Hy, Prisoner for Debt, London. Pet Oct 2. Roche. Oct 23 at 12. Pitman, Guildhall-chambers, Basinghall-st.  
 Howard, Hon. Bernard Thos, Glasshouse-st, Regent-st, Gent. Pet Oct 1. Roche. Oct 23. Randall & Angier, Gray's-inn-pl.  
 Marks, Edwd Nathan, Prisoner for Debt, London. Pet Oct 4 (for pau). Oct 23 at 12. Dobie, Basinghall-st.  
 Palk, Augustus, Duke-st, St James. Pet Oct 3. Roche. Oct 23 at 12. Lewis & Co, Old Jewry.  
 Spencer, Thos, Wrotham, Kent, out of business. Pet Oct 3. Roche. Oct 23 at 11. Fevery, Coleman-st.  
 Stillman, Geo Edwd, Prisoner for Debt, London. Pet Oct 4. Roche. Oct 23 at 1. Barron, Queen-st, Cannon-st.

To Surrender in the Country.

Barlow, Thos, Farnworth, Lancaster, Brick Maker. Pet Oct 2. Holden. Bolton. Oct 15 at 11. Edge, Bolton.  
 Bennett, Wm, Lpool. Pet Oct 7. Lpool, Oct 31 at 11. Bellringer, Lpool.  
 Black, Thos, Wigan, Lancaster, out of business. Pet Oct 7. Lpool. Oct 27 at 12. France, Wigan.  
 Bloom, Thos Young, Boston, Lincoln, Boiler Setter. Pet Oct 3. Stand-lane. Boston. Oct 16 at 10. Bean, Boston.  
 Brumby, Abraham, Rochdale, Lancaster, Boot Maker. Pet Oct 4. Jackson. Rochdale. Oct 23 at 11. Holland, Rochdale.  
 Courtive, Wm, Burnley, out of business. Pet Oct 2. Burnley, Oct 24 at 3. Parkerson, Burnley.



Crane, Wm, Northampton, Shoe Manufacturer. Pet Oct 5. Dennis. Northampton, Oct 26 at 10. White, Northampton.  
 Dalby, Joseph, Repton, Derby, Joiner. Pet Oct 3. Hubbersty. Burton-on-Trent, Oct 24 at 11. Briggs, Derby.  
 Dale, John, Lincoln, Carpenter. Pet Oct 4. Uppleby. Lincoln, Oct 23 at 11. Rex, Lincoln.  
 Dalton, Joseph, Hanley, Stafford, out of business. Pet Oct 2. Tudor. Birm., Oct 18 at 12. Welch, Hanley.  
 Davies, Thos, Aberdare, Glamorgan, Haulier. Pet Oct 1: Rees. Aberdare, Oct 21 at 11. Simons, Northy Tyddl.  
 Dickinson, John Bathgate, Willington, Northumberland, Surgeon. Pet Oct 3. Gibson. Newcastle-upon-Tyne, Oct 18 at 12.30. Tinley & Co, North Shields.  
 Dignam, John, Portsea, Hants, Baker. Pet Oct 4. Howard. Portsmouth, Oct 21 at 12. White, Portsea.  
 Dobson, Chas Brook, Hunslet, Leeds, Flax Spinner. Pet Oct 5. Leeds, Oct 21 at 11. North & Sons, Leeds.  
 Eaman, Jas, & John Eaman, Scarborough, York, Hotel Keeper. Pet Oct 5. Leeds, Oct 21 at 11. Richardson, Scarborough.  
 Hallett, Fras Hy, Trowbridge, Wilts, Brickmaker. Pet Oct 4. Wilde. Bristol, Oct 18 at 11. Press & Co, Bristol.  
 Harrison, Jane, Welton-by-Lincoln, Lincoln, Butcher. Pet Oct 4. Kingston-upon-Hull, Oct 24 at 12. Rex, Lincoln.  
 Harper, Richd, Lpool, Bookkeeper. Pet Oct 3. Lpool, Oct 18 at 11. Atkinson & Bartlett, Lpool.  
 Hawkins, Wm, Bristol, Furniture Broker. Pet Sept 30. Harley. Bristol, Oct 18 at 12. Alman.  
 Hillier, Chas Maddison, Freemantle, out of business. Pet Oct 4. Thordkirk. Southampton, Oct 21 at 12. Mackey, Southampton.  
 Hooking, Edw, St Just, Cornwall, Miner. Pet Oct 3. Bournemouth. Penance, Oct 17 at 12. Beyns, Penance.  
 Humble, Joseph John, Prudhoe, Northumberland, Gent. Pet Oct 2. Gibson. Newcastle-upon-Tyne, Oct 18 at 12. Ingledew & Daggett, Newcastle-upon-Tyne.  
 Huskinson, Hy Chas, Middlesbrough, York, Innkeeper. Pet Oct 7. Leeds, Oct 21 at 11. Carriss & Tempest, Leeds.  
 Iggulden, Wm, Christchurch, Monmouth, out of business. Pet Sept 30. Roberts. Newport, Oct 21 at 1. Morgan, Newport.  
 Kimber, Geo, Crookham, Southampton, Cattle Dealer. Pet Oct 4. Holless. Farnham, Oct 22 at 11.30. Pook, Laurence Pountney-hill, Cannon-st.  
 Kirkham, Wm Cowherd, Manch, General Agent. Pet Sept 30 (for pau). Dunn. Lancaster, Oct 21 at 5. Rawlinson, Lancaster.  
 Leach, Horatio, Hunslet, Leeds, Tobacconist. Pet Oct 4. Marshall. Leeds, Oct 24 at 12. Shackleton & Whitley, Leeds.  
 Lowry, Joseph, Sunderland, Durham, Innkeeper. Pet Oct 3. Gibson. Oct 18 at 12. Purvis, South Shields.  
 Mellor, Joseph, Market Basin, Lincoln, Licensed Victualler. Pet Oct 2. Rhodes. Market Basin, Oct 26 at 11. Rex, Lincoln.  
 Middleton, John, Salford, Mr Mahob, General Agent. Pet Sept 30 (for pau). Dunn. Lancaster, Oct 21 at 5. Rawlinson, Lancaster.  
 Mills, Augustus John, Engineer Her Majesty's Ship Belorophon. Adj Oct 3. Howard. Portsmouth, Oct 21 at 12. White, Portsea.  
 Pollard, Geo, Fowick, Worcester, Journeyman Cabinet Maker. Pet Oct 3. Crisp. Worcester, Oct 23 at 11. Wilson, Worcester.  
 Robinson, John Francis, Middlesbrough, York, Chemist. Pet Oct 5. Crosby. Oct 21 at 11. Dobson, Middlesbrough.  
 Rosenberg, Moses, East Stonehouse, Devon, Outfitter. Pet Oct 4. Exeter, Oct 23 at 10. Edmonds & Sons, Plymouth.  
 Slade, Edw, Crewkerne, Somerset, Blacksmith. Pet Oct 4. Sparks. Crewkerne, Oct 14 at 10. Bridge, Crewkerne.  
 Sorton, John, Chorlton-upon-Medlock, Manch, no business. Pet Sept 25 (for pau). Dunn. Lancaster, Oct 21 at 5. Johnson & Tilly, Lancaster.  
 Southwell, Geo, Sheffield, Boot Maker. Pet Oct 4. Wake. Sheffield, Oct 24 at 1. Mickelthwait, Sheffield.  
 Steele, John, Maidstone, Kent, Cooper. Pet Sept 30. Soudamore. Maidstone, Oct 19 at 12. Peaverly, Coleman-st.  
 Stein, Fredk Jules, North Shields, Tyne-mouth, Innkeeper. Pet Oct 3. Ingledew. North Shields, Oct 17 at 10. Lowrey, North Shields.  
 Strange, Edw, Goodall, Southampton, Superintendent of the Fire Brigade. Pet Oct 2. Thordkirk. Southampton, Oct 21 at 12. Mackey, Southampton.  
 Taylor, Geo, Bromsgrove, Worcester, out of business. Pet Oct 2. Tudor. Birm., Oct 18 at 12. Mahers, Birm.  
 Thomas, Thos, Cwm Ogwr, Glamorgan, Collier. Pet Oct 4. Bridgend, Oct 18 at 12. Stockwood, Bridgend.  
 Turnbull, John, Lpool, Ships' Carpenter. Pet Oct 4. Hime. Lpool, Oct 18 at 3. Masters, Lpool.  
 Whitaker, Jas, Manch, Fancy Goods Manufacturer. Pet Oct 2. Maerac. Manch, Oct 23 at 11. Leigh, Manch.

# BANKRUPTCY ANNULLED.

FRIDAY, Oct. 4, 1867.

Huxtable, John Elliott, Rensselaer-st, Milk-st, Cheapside. Oct 3.

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